

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARJORIE E. MELLON,)
)
Plaintiff,)
)
v.) Civil Action No. 08-071-GMS
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security¹,)
)
Defendant.)

ORDER

At Wilmington, this *19th* day of *February* 2008, the court having previously issued an order granting the plaintiff's application to proceed without prepayment of fees under 28 U.S.C. § 1915;

NOW THEREFORE, IT IS HEREBY ORDERED:

1. Pursuant to Fed. R. Civ. P. 4(c)(2) and (i) and 20 C.F.R. § 423.1, the plaintiff shall provide to the court "U.S. Marshal-285" forms for **the Commissioner of Social Security/Social Security Administration, Office of General Counsel, Region III, P.O. Box 41777, Philadelphia, PA 19101; the United States Attorney for the District of Delaware, The Nemours Building, 1007 Orange Street, Suite 700, P. O. Box 2046, Wilmington, DE 19899-2046; and the Attorney General of the United States, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001. The plaintiff must also provide the court with three (3) copies of the complaint (D.I. 2) for service upon the Commissioner of**

¹Plaintiff appeals the denial of Social Security disability benefits and incorrectly named as the defendant, the Social Security Administration. The correct defendant is Michael J. Astrue, Commissioner of the Social Security Administration.

Social Security/Social Security Administration, Office of General Counsel, Region III; the United States Attorney for the District of Delaware; and the Attorney General of the United States. The plaintiff is notified that the United States Marshal will not serve the complaint until the required number of copies of the USM-285 forms and the complaint have been received by the Clerk of the Court. Failure to provide the required number of copies of the USM-285 forms and the complaint within 120 days of the date of this order may result in the complaint being dismissed or defendant being dismissed pursuant to Fed. R. Civ. P. 4(m).

2. Upon receipt of the completed "U.S. Marshal 285" form(s), the United States Marshal shall serve a copy of the complaint and this order upon the defendant(s) as directed by plaintiff. All costs of service shall be advanced by the United States.

3. No communication, including pleadings, briefs, statement of position, etc., will be considered by the court in this civil action unless the documents reflect proof of service upon the parties or their counsel.


CHIEF, UNITED STATES DISTRICT JUDGE

